

## REMARKS

Claims 1-20 are pending. The Examiner's reconsideration of the rejections in view of the remarks is respectfully requested.

Claims 1-2 and 5-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by Herrod et al. (U.S. Patent No. 6,405,049). The Examiner stated essentially that Herrod teaches all the limitations of claims 1-2 and 5-20.

Under 35 U.S.C. 102, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim. See MPEP §2131. It is respectfully submitted that at the very minimum, Herrod is legally deficient to establish a *prima facie* case of anticipation of claims 1, 15 and 20.

Claims 1 and 20 claim, *inter alia*, "determining a position and an orientation of the portable display device in relation to the local reference frame; and providing the product information via the portable display device according to the position and orientation of the portable display device." Claim 15 claims, *inter alia*, "a correlation means for determining the object according to a known position of the object within the local reference frame, and a position and an orientation of the portable display device; and a database for providing, via the portable display device, information corresponding to the object."

Herrod teaches a terminal and access point for transmitting information concerning products available in the locality of the terminal for display (see col. 10, lines 36-44). Herrod does not teach or suggest a system for "providing the product information via the portable display device according to the position and orientation of the portable display device" as claimed in claims 1 and 20, nor, "a correlation means for determining the object according to a

known position of the object within the local reference frame, and a position and an orientation of the portable display device” as claimed in claim 15. Herrod teaches a motion detector for determining if a terminal has moved according to a positional orientation, and activating or deactivating the terminal upon determining a movement (see col. 17, lines 2-14). Nowhere does Herrod teach how the system for activating a terminal could be used to provide product information or determine an object, essentially as claimed in claims 1 and 20 and claim 15, respectively. Herrod merely teaches a method for turning a terminal on and off according to whether the terminal has moved. Herrod does not teach any other application of the positional orientation, much less “providing the product information via the portable display device according to the position and orientation of the portable display device” as claimed in claims 1 and 20, and “a correlation means for determining the object according to a known position of the object within the local reference frame, and a position and an orientation of the portable display device” as claimed in claim 15. Therefore, Herrod fails to teach all the limitations of claims 1 and 20, and 15.

Claims 2 and 5-14 depend from claim 1. Claims 16-19 depend from claim 15. The dependent claims are believed to be allowable for at least the reasons given for claims 1 and 15. Reconsideration of the rejection is respectfully requested.

Claim 3 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod. The Examiner stated essentially that Herrod teaches or suggests all the limitations of claim 3.

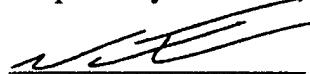
Claim 3 depends from claim 1. Claim 3 is believed to be allowable for at least the reasons given for claim 1. The Examiner’s reconsideration of the rejection is respectfully requested.

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod in view of Stevens (U.S. Patent Application No. 2002/0087392). The Examiner stated essentially that the combined teachings of Herrod and Stevens teach or suggest all the limitations of claim 4.

Claim 4 depends from claim 1. Claim 4 is believed to be allowable for at least the reasons given for claim 1. The Examiner's reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the application, including claims 1-20, is believed to be in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Respectfully submitted,



Nathaniel T. Wallace  
Reg. No. 48,909  
Attorney for Applicants

Mailing Address:  
**F. CHAU & ASSOCIATES, LLC**  
130 Woodbury Road  
Woodbury, New York 11797  
TEL: (516) 692-8888  
FAX: (516) 692-8889